

From owner-boatanchors@gnu.ai.mit.edu Mon Oct 24 10:06:47 1994
Date: Mon, 24 Oct 1994 09:10:45 -0500
From: CCS_MAH@admin.fandm.edu (Mark Hemlick Ph. D.)
Subject: RE: Remains of the radio
Message-Id: <01HINDRV094YA9NFYE@ACAD.FANDM.EDU>

Don Merz wrote:

(stuff deleted)

>THE QUESTION: Who should get to keep the remains of the radio (which, though
>damaged, is still usable)?

The shipper's insurance company gets the radio. The shipper's insurance company provided insurance to the seller. The seller has made a claim for the total value of the radio which the insurer has honored. Thus, the seller's insurance company has the rights to the scrap radio.

The "ethical" thing to do would be for the seller to inform the shipping company of the location of the radio and its salvage value, then ask them what they want to do: pick it up, allow the seller to purchase it for the salvage value, or just let it go as is. The seller's insurance company is unlikely to want the radio. If the shipper decides to transfer their rights to the radio back to the seller, he may then charge the buyer the salvage value of the radio, or agree to pay the shipping charges to have it returned to him.

My 2c.

Regards,

Mark KA3LFG